GOVERNMENT OF INDIA
URBAN DEVELOPMENT
LOK SABHA

UNSTARRED QUESTION NO:2993
ANSWERED ON:16.03.2016
General Power of Attorney
Devi Smt. Rama

Will the Minister of URBAN DEVELOPMENT be pleased to state:

Will the Minister OF URBAN DEVELOPMENT be pleased to state:

(a) whether the Government has approved general power of attorney and its legal status in Delhi for ownership right on private property;

(b) if so, the details and the relevant rules thereof; and

(c) if not, the purpose for which general power of attorney is used/authorised?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT
(SHRI BABUL SUPRIYO)

(a)to(c): No, Madam. However, Delhi Development Authority (DDA) has informed that for the properties allotted by them, conversion from leasehold to freehold is allowed on the basis of General Power of Attorney and associated Agreement to Sell. This is done where lessee/allottee has parted with the possession of the property, provided that,

(i) application for conversion is made by a person holding power of attorney from the lessee/allottee to alienate(sell/transfer) the property and
(ii) proof is given of possession of the property in favour of the person in whose name conversion is being sought.

Further, where there are successive power of attorneys, conversion is allowed after verifying the factum of possession provided that the linkage of original lessee/allottee with the last power of attorney is established and attested copies of power attorneys are submitted. In such cases, surcharge of 331/3% on the conversion fee is payable over and above the normal conversion charges applicable for regular lessee.

The use of General Power Attorney is governed by the provisions under sections 32 & 33 of the Indian Registration Act, 1908.

*****